

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/690,790	10/22/2003	Richard Reardon	REA-101US 5618 EXAMINER		
24314	7590 07/16/2004				
JANSSON, SHUPE & MUNGER, LTD 245 MAIN STREET			SHAW, ELIZABETH ANNE		
RACINE, WI 53403			ART UNIT	PAPER NUMBER	
			3644	3644	
			DATE MAILED: 07/16/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)					
Elizabeth A Shaw So44		10/690,790	REARDON, RICHARD					
- The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extendence for them page to available under the procession of 3 CPCR 1.136(a). In ne event, homewor, may a reply be timely filled. Extendence for them page to available under the procession of 3 CPCR 1.136(a). In ne event, homewor, may a reply be timely filled. Extendence for them page sevaled under the procession of 3 CPCR 1.136(a). In ne event, homewor, may a reply be timely filled. If the period for reply specified brows have them them the statisticy related vall page and vall explore 30 (in MONTE) (first hamiling date of this communication or highly the considered fitnely. If the period for reply specified and page in the period (size of this communication), own of themself, filled, may reduce any seather page that the solid page in which the solid page in which grade is the solid page and the solid page in the page in t	Office Action Summary	Examiner	Art Unit					
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Application/Control Number: 10/690,790

Art Unit: 3644

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 an 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Jimenez (5,119,767). Jimenez shows a harness for a child having a support belt 6, 21 for encircling a child's waist having front and rear portions, a crotch support member 26 extending from the front portion to the rear portion, an upper torso support component 14 extending from the front portion to the rear portion and a handle 10 connecting the upper torso support component 14 and the support belt 21. The support belt 21 having first and second ends connected together at the rear of the child's waist.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jimenez in view of Epstein. Jimenez does not show a bifurcated tail on the crotch support. Epstein shows a harness for a child having a support belt 20, 21 for encircling a child's waist having front and rear portions, a crotch support member (unnumbered) extending

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from the front portion to the rear portion, an upper torso support component 1, 2 extending from the front portion to the rear portion and a handle 15 connecting the upper torso support components 1, 2. The support belt 20, 21 having first and second ends connected together at the rear of the child's waist. The crotch support member includes a bifurcated tail having a first end connected to the support belt 20 and a second end connected to the support belt 21. With respect to claim 3, to use the bifurcated tail of Epstein with the harness of Jimenez would have been obvious to one skilled in the art as a replacement of functional equivalents.

Allowable Subject Matter

Claims 4-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 12-18 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Included for further reference on child harnesses are: Hunkins (721,305), Murray (3,142,844), Jimenez (5,119,767), Brown et al (5,120,287), Louks-Phillips (5,692,456), Mannell et al (6,467,851), Moulton, III (6,626,131) and Reynolds et al (2004/0065272).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Shaw whose telephone number is 703-308-1853. The examiner can normally be reached on M-Th 9:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on 703-306-4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elizabeth A. Shaw

Examiner Art Unit 3644

July 9, 2004

MICHAEL J. CA SUPERVISORY PATER